



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Research and
Special Programs
Administration**

JUL 20 2004

DOT-E 13052
(FIRST REVISION)

EXPIRATION DATE: June 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Questar, Incorporated
North Canton, OH
2. PURPOSE AND LIMITATION:
 - a. This exemption authorizes the manufacture, mark, sale and use of UN11G intermediate bulk containers for the transportation in commerce of the materials authorized by this exemption. This exemption provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 173.173(b)(2) and 173.242 in that inner metal or plastic packagings of not over 5 gallons packed in UN11G intermediate bulk containers are not authorized, except as specified herein; § 172.301(a) in that each inner packaging is not marked with the proper shipping name and identification number; § 172.301(c) in that each inner packaging is not marked with the exemption number; and § 172.400(a) in that each inner packaging is not labeled.

JUL 20 2004

5. BASIS: This exemption is based on the application of Questar, Incorporated dated July 15, 2004 submitted in accordance with § 107.109 and additional information dated July 20, 2004.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Waste Paint	3	UN1263	II and III
Waste Paint related material	3	UN1263	II and III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Inner metal or plastic packagings of not over 5 gallons each, packed in UN11G intermediate bulk containers lined with a plastic liner of at least 6 mil thickness to prevent leakage. The UN11G intermediate bulk containers are secured to a pallet.

b. OPERATIONAL CONTROLS -

(1) All packagings inside the UN11G intermediate bulk containers must be blocked and braced to prevent movement during transportation that could cause the container to open or fall over.

(2) No leaking containers may be transported under the terms of this exemption, unless overpacked in a UN specification package capable of containing the leakage or in accordance with § 173.12.

8. SPECIAL PROVISIONS:

a. In accordance with the provisions of Paragraph (b) of § 173.22a, persons may use the packaging authorized by this exemption for the transportation of the hazardous materials specified in paragraph 6, only in conformance with the terms of this exemption.

JUL 20 2004

- b. A person who is not a holder of this exemption, but receives a package covered by this exemption, may reoffer it for transportation provided no modification or change is made to the package or its contents and it is offered for transportation in conformance with this exemption and the HMR.
- c. A current copy of this exemption must be maintained at each facility where the package is offered or reoffered for transportation.
- d. Each packaging manufactured under the authority of this exemption must be either (1) marked with the name of the manufacturer and location (city and state) of the facility at which it is manufactured or (2) marked with a registration symbol designated by the Office of Hazardous Materials Exemptions and Approvals for a specific manufacturing facility.
- e. A current copy of this exemption must be maintained at each facility where the package is manufactured under this exemption. It must be made available to a DOT representative upon request.
- f. The outside of each UN11G intermediate bulk container must be plainly and durably marked with "DOT-E 13052" at least 2 inches in height.
- g. The marking requirements for each inner packaging in accordance with §§ 172.301(a) and 172.301(c) are waived.
- h. The labeling of each inner packaging in accordance with § 172.400(a) is waived.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS: A current copy of this exemption must be carried aboard each motor vehicle used to transport packages covered by this exemption.

JUL 20 2004

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this exemption must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when this exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



Robert A. McGuire

for Associate Administrator for
Hazardous Materials Safety

JUL 20 2004

(DATE)

JUL 20 2004

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.
Attention: DHM-31.

Copies of this exemption may be obtained by accessing the Hazardous Materials Safety Homepage at <http://hazmat.dot.gov/exemptions> Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: DBurger/sln